

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.7015 OF 2024
IN
FIRST APPEAL STAMP NO.4511 OF 2023**

Dashrath Sukhari Saw ..Applicant
Versus
Tulsi Gaondoari Saw & Anr. ..Respondents
Ms. Rina Kundu, for the Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 3rd MAY, 2024

PC.

1. This Application is filed for restoration of the First Appeal that came to be dismissed for default in view of conditional order passed by learned Registrar (Judicial-II) of this Court dated 29.01.2024. As the office objections were not removed, the Appeal came to be dismissed.

2. Learned advocate for the Applicant undertakes to remove objections within four weeks from today and prays to this Court to restore this Appeal thereafter. There is also delay of six days caused in filing this Application.

3. Since no notice was issued in the Appeal, this Court feels

that for allowing the Application also, no notice is required. Hence, the following order :-

- i) For the reasons stated in the application, the same is allowed. Delay stands condoned.
- ii) First Appeal Stamp No.4511 of 2023 stands restored to its original position, subject removal of objections within four weeks from today.
- iii) Office to allow the Applicant to remove objections within four weeks.

4. The Application stands disposed of.

[KISHORE C. SANT, J.]